

Remarks

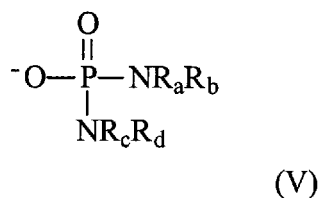
Claim 31 is amended and claim 32 is added. Claims 1-2, 5-7, 12-25, 27-29 and 31-32 are pending. Claim 32 is supported at page 4, lines 11-19, of the specification.

The 35 U.S.C. § 112(2) Rejection

The Examiner rejected claims 1-2, 5-7, 12-25, 27 and 31 under 35 U.S.C. § 112, second paragraph, as allegedly being indefinite for failing to particularly point out and distinctly claim the invention. This rejection is respectfully traversed.

With regards to the lack of antecedent basis rejection of claim 31, the amendments to claim 31 render this rejection of claim 31 moot.

With respect to the phrase “R¹ is an organic releasing group comprising a quinone ring,” Applicant respectfully submits that the meaning of this phrase would be clear to one of skill in the art in possession of the present specification. The specification defines the phrase “organic releasing group comprising a quinone ring” functionally as including “mono-, bi- and poly-cyclic ring systems that comprise at least one quinone ring, which ring systems are capable of releasing a group of formula (V):



from a compound of formula I when the compound of formula I is administered to a mammal (e.g. a human)” (see page 4, lines 12-19, of the instant specification). This term is also extensively exemplified at page 4, line 25 through page 7, line 17 of the instant specification. In light of this disclosure, the metes and bounds of the phrase “R¹ is an organic releasing group comprising a quinone ring,” as recited in the instant claims, would be readily understood by one skilled in the art. Thus, it is respectfully submitted that the phrase “R¹ is an organic releasing group comprising a quinone ring” is not indefinite.

Applicant respectfully submits that there are also numerous art recognized screens that can be used to determine whether or not a given “organic releasing group comprising a quinine ring” will function in the context of the claimed invention. The Examiner is requested to consider that new claim 32 defines the term “organic releasing group comprising a quinine ring” in structural/functional terms, as provided in the specification. Guided by the specification, the art worker could prepare numerous ligands meeting this requirement without undue experimentation.

Therefore, it is respectfully submitted that withdrawal of the rejection of the claims under 35 U.S.C. § 112, second paragraph, is appropriate and is respectfully requested.

Conclusion

Applicant respectfully submits that the claims are in condition for allowance, and notification to that effect is earnestly requested. The Examiner is invited to telephone Applicant's attorney at (612) 373-6905 to facilitate prosecution of this application.

If necessary, please charge any additional fees or credit overpayment to Deposit Account No. 19-0743.

Respectfully submitted,

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Date

July 6, 2006

By

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CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence is being filed using the USPTO's electronic filing system EFS-Web, and is addressed to: Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this 6th day of July, 2006.

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